

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

UNITED STATES OF AMERICA,	)	<u>I N D I C T M E N T</u>
)	
Plaintiff,)	
)	
v.	)	CASE NO. _____
	)	Title 21, §846,
MOISES REYES,	)	United States Code
aka GORDO,	)	Title 21, §§841(a)(1),
aka ANTHONY PENA,	)	(b)(1)(A) and
aka PEDRO RIVERA,	)	(b)(1)(C),
aka JOSE CORNELL,	)	United States Code
aka LUIS CORNIEL,	)	Title 21, §843(b),
LUIS TORRES,	)	United States Code
aka CARLOS,)	
aka CARLOS ALFONZO,)	
aka JOSE SANTANA,)	
aka JOSE ESPADA,)	
CHARLIE VARGAS,)	
PEDRO AYALA,)	
aka JOSE,)	
ROBERTO ROJAS,)	
aka CANGRI,)	
JOHN RODRIGUEZ,)	
ALFREDO LEON,)	
aka FREDDY,)	
aka FREDDY FOX,)	
aka ALFREDO DELEON,)	
VIOLETA MONTANEZ,)	
)	
)	
Defendants.)	

COUNT 1

The Grand Jury charges:

Beginning at least as early as June, 2006, and continuing through August, 2007, the exact dates to the Grand Jury unknown, in the Northern District of Ohio, Eastern Division, and elsewhere, MOISES REYES, aka GORDO, aka ANTHONY PENA, aka PEDRO RIVERA, aka JOSE CORNELL, aka LUIS CORNIEL; LUIS TORRES, aka CARLOS, aka CARLOS ALFONZO, aka JOSE SANTANA, aka JOSE ESPADA; CHARLIE VARGAS; PEDRO AYALA, aka JOSE; ROBERTO ROJAS, aka CANGRI; JOHN RODRIGUEZ; ALFREDO LEON, aka FREDDY, aka FREDDY FOX, aka ALFREDO DELEON; and VIOLETA MONTANEZ, the defendants herein, did unlawfully, knowingly, and intentionally combine, conspire, confederate, and agree together and with each other, and with diverse others known and unknown to the Grand Jury, to possess with the intent to distribute and to distribute at least one or more kilograms of a mixture or substance containing a detectable amount of heroin, a Schedule I controlled substance, and to possess with the intent to distribute and to distribute at least five kilograms or more of a mixture or substance containing a detectable amount of cocaine, a Schedule II narcotic drug controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(A).

MANNER AND MEANS OF THE CONSPIRACY

A. It was part of the conspiracy that MOISES REYES would obtain multi-kilogram shipments of heroin and cocaine in Columbus, Ohio, from unknown suppliers in Arizona and elsewhere.

B. It was further part of the conspiracy that MOISES REYES would arrange for the re-distribution of the heroin and cocaine in the greater Cleveland, Ohio area, and elsewhere.

C. It was further part of the conspiracy that LUIS TORRES would purchase multi-kilogram quantities of heroin and cocaine from REYES and his associates for re-distribution in the greater Cleveland, Ohio area.

D. It was further part of the conspiracy that CHARLIE VARGAS; PEDRO AYALA; ROBERTO ROJAS; JOHN RODRIGUEZ; ALFREDO LEON; VIOLETA MONTANEZ, and others would assist TORRES in the transportation, storage, processing and re-distribution of the heroin and cocaine in the greater Cleveland, Ohio area.

E. It was further part of the conspiracy that TORRES would, from time to time, obtain "cloned"¹ telephones for the purpose of conducting drug trafficking business without the risk of being detected by law enforcement.

F. It was further part of the conspiracy that TORRES would supply "cloned" telephones to REYES and other members of the

¹

A "cloned" telephone is one in which two or more telephones share the same number, which is possible through the duplication of the original phone's SIM card.

conspiracy to facilitate their drug trafficking activities and avoid law enforcement detection.

G. It was further part of the conspiracy that TORRES and REYES would transfer proceeds from their drug trafficking activities throughout the United States through the use of *Quisqueyana*, a wire transfer service operated by Dominican nationals, in an effort to facilitate their drug trafficking activities and avoid law enforcement detection.

H. It was further part of the conspiracy that TORRES, REYES and others would obtain and utilize multiple fraudulent identities to conceal their illegal alien status, facilitate their drug trafficking activities and avoid law enforcement detection.

OVERT ACTS

In furtherance thereof, and to effect the goals and conceal the existence of the conspiracy, the defendants and others performed overt acts including but not limited to the following:

1. On January 26, 2007, LUIS TORRES and PEDRO AYALA met with a person cooperating with law enforcement (hereinafter "CW") in the greater Cleveland, Ohio area. During this meeting, LUIS TORRES sold 15.5 grams of heroin for \$1,360.00 to the CW.

2. On April 3, 2007, LUIS TORRES sold 19.1 grams of heroin for \$1,500.00 to a CW in the vicinity of West 25th Street, Cleveland, Ohio.

3. On May 11, 2007, LUIS TORRES sold 39.6 grams of heroin for \$3,000.00 to a CW in the greater Cleveland, Ohio area.

4. On June 7, 2007, LUIS TORRES sold 19.7 grams of heroin for \$1,500.00 to a CW in the greater Cleveland, Ohio area.

5. On or about June 21, 2007, at approximately 7:02 p.m., ROBERTO ROJAS called LUIS TORRES on the telephone. During the conversation, ROJAS said, "Listen, my buddy (drug customer) wanted, is looking around to see if he can go out with some women (wants a quantity of drugs). To see if you check about them." TORRES replied, "Which of them? American -- white girl (cocaine)?" ROJAS replied, "The four dark skinned ones (heroin) that I saw last night around there."

6. On or about June 22, 2007, at approximately 2:04 p.m., PEDRO AYALA called LUIS TORRES on the telephone. During the conversation, TORRES asked, "Okay, but which (heroin or cocaine)?" AYALA replied, "You know." TORRES asked, "How am I going to know, my son?" AYALA said, "The dark-skinned girl (heroin), guy!" Later TORRES asked, "That I don't know how many, how many?" AYALA replied, "I told you sixty (grams of heroin)."

7. On or about June 22, 2007, at approximately 8:07 p.m., PEDRO AYALA called LUIS TORRES on the telephone. AYALA said, "Get two hands (a quantity of heroin) ready. Get them ready." TORRES replied, "Okay."

8. On or about June 23, 2007, at approximately 12:51 p.m.,

MOISES REYES called LUIS TORRES on the telephone. REYES asked, "So it's (heroin) weaker (poor quality) than the one before?" TORRES replied, "Uh-huh, but not just once." REYES asked, "Not once, a lot weaker?" TORRES replied, "Yes." Later, REYES said, "It would give you one to one over there. Do you remember how it was?" TORRES replied, "Uh-huh. No, people were screaming, crazy after it."

9. On or about June 24, 2007, at approximately 1:24 p.m., PEDRO AYALA called LUIS TORRES on the telephone. AYALA asked, "Do you want . . . to do some stuff?" TORRES replied, "Yes. What, what is it?" AYALA answered, "Uh, two hands and four fingers (a quantity of drugs)."

10. On or about June 26, 2007, at approximately 8:15 p.m., ROBERTO ROJAS called LUIS TORRES on the telephone. During the conversation, ROJAS said, "Yes, the five women (amount of heroin) that I have around there." TORRES replied, "The only thing, I can do is send you someone (to bring a supply of heroin) to go to you . . . because I'm here in the city with big buildings (New York City)." ROJAS replied, "Oh, but some who's trustworthy." TORRES said, "Yes, I'm going to see if my partner wants to go . . ."

11. On or about June 27, 2007, at approximately 8:30 p.m., LUIS TORRES met with ROBERTO ROJAS in the vicinity of West 98th Street and Macon Avenue in Cleveland, Ohio.

12. On or about June 28, 2007, at approximately 2:22 p.m., MOISES REYES called LUIS TORRES on the telephone. During the conversation, REYES said, "This guy (drug supplier) is leaving and he promised me that . . . at least he's going to bring down Pedro's two sons (two kilograms of cocaine), to leave them there, so that we can pick them up at -- let's go to Columbus." TORRES replied, "Yes, I'll go." REYES said, "So that we can pick them (kilograms of cocaine) up right there, to see if we can straighten up buddy. You can count on me . . ." Later in the conversation, REYES said, "We're not doing well (making much money) because the river has not gathered any water (it's dry; there is no cocaine available)." TORRES agreed.

13. On or about June 29, 2007, at approximately 7:36 p.m., LUIS TORRES called PEDRO AYALA on the telephone. TORRES said, "There's a young dude there that showed me some stuff (cocaine) for the head and then . . . it's molasses (slow-moving). I was going to see if I could find a couple of people (cocaine customers) to see what I can produce (sell) around there." AYALA asked, "But which one? The white girl (cocaine) or the dark-skinned girl (heroin)?" TORRES replied, "No, no, it's that they're small things but then I want to give Tilson some news (money) and . . . to Silva because if I . . ., at least they take two or whatever, I'll find one around there, at least free."

14. On or about June 29, 2007, at approximately 9:16 p.m.,

ROBERTO ROJAS called LUIS TORRES on the telephone. TORRES asked, "But tell me, how many beers (heroin) did you want me to bring for the, for the party?" ROJAS replied, "Like ten women (an amount of heroin)." TORRES said, "These dark skinned girls (heroin) are going to show. . . Do you have those numbers (money)?" ROJAS replied, "Yes. . ."

15. On or about June 30, 2007, at approximately 8:23 p.m., MOISES REYES called LUIS TORRES on the telephone. REYES asked, "These 150 (amount of drugs), what do I do with them? Do I save them? Do I fix it?" TORRES replied, Keep them near on hand."

16. On or about July 2, 2007, at approximately 1:03 p.m., LUIS TORRES called ROBERTO ROJAS on the telephone. ROJAS said, "Listen, that little blonde girl (cocaine), around there is deadly (expensive) you know." TORRES asked, "How much." ROJAS replied, "Um, around there nine (\$900) around there is what they're asking for her."

17. On or about July 2, 2007, at approximately 2:03 p.m., LUIS TORRES called CHARLIE VARGAS on the telephone. During the conversation, TORRES said, "I have there 300 (grams of heroin) and I wanted you to see them (to see how good they are) if you're close (to Cleveland) because the guy (supplier) sent us the stuff (heroin) . . . I sold fifty (grams of heroin) right there as soon as they came . . . there's seventy-something (grams of heroin) left at least. . ."

18. On or about July 3, 2007, at approximately 5:00 p.m., LUIS TORRES met with CHARLIE VARGAS at 9509 Willard Avenue, Cleveland, Ohio.

19. On or about July 3, 2007, at approximately 7:41 p.m., LUIS TORRES called ALFREDO LEON on the telephone. During the conversation, TORRES asked, "And the stuff (cocaine)? Did you get the little stuff back?" LEON asked, "The what?" TORRES said, "Do you have that girl (cocaine)?" LEON asked, "What girl?" TORRES replied, "The white (cocaine) one? . . . If you have the white one, our friend, the one that gets us grooving! . . ." LEON replied, "Oh yes, I sure do . . . what do you want, Papi, so I can take it to you?" TORRES said, "I just want one (quantity of cocaine) . . . I'm broke."

20. On or about July 4, 2007, at approximately 11:43 a.m., ROBERTO ROJAS called LUIS TORRES on the telephone. ROJAS told TORRES, "I have a small party at home with only for like . . . four women (an amount of heroin) are coming over." TORRES confirmed, "Four?" Approximately eight minutes later, ROJAS called TORRES again. During the conversation, ROJAS changed his order to "five women." TORRES agreed.

21. On or about July 4, 2007, at approximately 11:51 a.m., LUIS TORRES called CHARLIE VARGAS on the telephone. TORRES said, "So, I wanted to ask if you wanted to, um, bring, to sell five . . . five things for a young guy (ROBERTO ROJAS) there who . . ."

VARGAS replied, "It's that already . . . I'll call you right back."

22. On or about July 5, 2007, at approximately 1:57 p.m., MOISES REYES called LUIS TORRES on the telephone. REYES said, "Look get the two thousand dollars (for previously fronted drugs)." TORRES replied, "As soon as I have, even if it's 1,500, whatever it is, I'm going to call you."

23. On or about July 5, 2007, at approximately 9:14 p.m., PEDRO AYALA called LUIS TORRES on the telephone. AYALA said, "Well, um, Carlos, at least one hand and two fingers (a quantity of heroin) and bring them to me." TORRES said, "Okay. . ."

24. On or about July 6, 2007, at approximately 10:47 a.m., MOISES REYES called LUIS TORRES on the telephone. During the conversation, TORRES said, "The guy (heroin customer) brought me the money for what I told you. For the 70 (grams of heroin) that I had given him (to sell)." REYES replied, "Uh-hum."

25. On or about July 6, 2007, at approximately 1:09 p.m., LUIS TORRES called PEDRO AYALA on the telephone. TORRES told AYALA, " Call them to see because there are some people who want half (500 grams of cocaine), no matter half of, of, of it doesn't matter the way it is . . . we can bring nine, eight, seven or whatever, you know." AYALA replied, "Well, let me call them. I'll call you back."

26. On or about July 7, 2007, at approximately 1:33 p.m.,

JOHN RODRIGUEZ called LUIS TORRES on the telephone. RODRIGUEZ said, "Over a funky-ass couple of dollars (owed from previously fronted drugs), you don't holla (conduct drug business) at your nigga no more right?" TORRES said, "No . . ." RODRIGUEZ said, ". . . You called me that one time. I tried to call you back, you know. I wanted to holla at you, just because whatever happened, nigga, you know, I still-- you're still my dude, bro, whatever, whatever. . . . I mean, shit happens in life, bro, you know . . . I never meant this to happen, you know what I'm saying?" TORRES replied, "Yeah, but you've been doing that shit (receiving fronted drugs and not paying back what is owed) . . . I do it like, first time, you do it, second time, third time, to the tenth time, I get tired and I'm like well, every time we're going to do something (drug deal together) I lose (money) . . ."

27. On or about July 7, 2007, at approximately 1:51 p.m., CHARLIE VARGAS called LUIS TORRES on the telephone. VARGAS asked, "How much (quantity of drugs) do you have there?" TORRES said, "There are about thirty (quantity of drugs) or something like that here." VARGAS said, "That little? You don't have fifty (quantity of drugs) there?" TORRES said, "Huh? No, more so, I don't even know how much might be there, it must be over seventy (quantity of drugs)." VARGAS said, "Try, try to get it for me today . . ."

28. On or about July 8, 2007, at approximately 1:55 p.m.,

ROBERTO ROJAS called LUIS TORRES on the telephone. ROJAS said, "Listen, I'm having a party at home soon. I have invited five, five women. (I need a quantity of heroin). TORRES asked, "When do you want that? Right now?" ROJAS replied, "In about 10 or 15 minutes."

29. On or about July 10, 2007, at approximately 4:40 p.m., LUIS TORRES met with MOISES REYES near exit 98B of Interstate 70 West near Columbus, Ohio.

30. On or about July 13, 2007, at approximately 6:11 p.m., MOISES REYES called LUIS TORRES on the telephone. During the conversation, REYES told TORRES, "The big tire family arrived. . . and it's a party of 27 (27 kilograms of cocaine). . . clean, pretty clean, well dressed and all." TORRES replied, "Oh yes!"

31. On or about July 13, 2007, at approximately 7:47 p.m., LUIS TORRES called MOISES REYES on the telephone. TORRES told REYES, "If one of those cock suckers (cocaine suppliers) wants to bring up one or half (kilogram of cocaine), that it'll be sold in one sale so that they can have their money. The white guy (TORRES' cocaine customer) is good for half right now." REYES replied that "things are not done that way."

32. On July 16, 2007, LUIS TORRES sold 59.4 grams of heroin for \$4,240.00 to a CW in the greater Cleveland, Ohio area.

33. On or about July 16, 2007, at approximately 2:19 p.m., LUIS TORRES called MOISES REYES on the telephone. During the

conversation, TORRES said, "You told me that your stuff (heroin) arrived, that you have your dark one (heroin) there?" REYES said, ". . . Yes, uh, not the way that I got that one (previous supply of heroin), that was done. I'm doing it (preparing the heroin) myself. That is, I bought a little bit. I'm doing it, mine (large supply of heroin) will come on Saturday or Sunday and is coming -- do you know who's coming? The Asian one (white heroin) is coming!" TORRES said, "Yeah . . . I would even go over there (Columbus, Ohio) to talk to you (about selling that) because damn, but do you have some (heroin) then?" REYES said, "Yes, of course, you know that I do. I bought a little bit, you see, I bought a bit to be able to survive until Saturday."

34. On or about July 16, 2007, at approximately 5:55 p.m., LUIS TORRES called CHARLIE VARGAS on the telephone. TORRES asked, "Have you talked to him?" VARGAS said, "Yes, yes. I was just talking to him a little bit ago. . . He told me he was possibly trying to have all the money (proceeds from previously fronted heroin) before Friday." TORRES said, "Okay. Don't worry . . ." VARGAS said, ". . . I said try to bring a few dollars (part of the drug proceeds) so I can calm down the boys (suppliers). Because they too owe that (money for previously fronted drugs). . . The thing is that he doesn't work here (in Cleveland). . . and what happened is that when I was asking you for that (supply of heroin that was not available), his people

(heroin customers) went to other places (suppliers). . . because if anything, we will take. . . um, big numbers (money) and in 15 days, we will square things away."

35. On or about July 17, 2007, at approximately 8:07 p.m., MOISES REYES called LUIS TORRES on the telephone. During the conversation, REYES asked, ". . . Do you want the leftovers (drugs which are left after kilograms have been broken)?" TORRES replied, "I don't want that stuff." REYES said, "Listen, I already know that you went to the brother-in-law (alternate supplier of drugs)." TORRES said, "No, you're talking nonsense. . . I said, let's brake this, you take half of your money (from drug proceeds), take, I'm going to take my half because I'm not going to work with those people (alternate suppliers) again and, if you want you can buy five (quantity of drugs), ten (quantity of drugs) from them, whatever you want, that's up to you." Later in the conversation, REYES said, ". . . I'm at a place now where I'm looking for half a buck (half a kilogram of drugs) for both of us." TORRES replied, "Damn, yes, if you find that stuff, it will go well for us."

36. On or about July 17, 2007, at approximately 9:53 p.m., LUIS TORRES called CHARLIE VARGAS on the telephone. TORRES said, ". . .I was talking with the tiger (supplier) to see if I can get some stuff of, the American (cocaine) too." VARGAS said, "Okay, okay, I'm going to have to call the boys to see if any of that

(cocaine) shows up." TORRES said, "Yes, and I have been looking, to try and get some (cocaine) because they're (cocaine customers) asking for them." Later in the conversation, TORRES said, "Check with those people from over there (cocaine suppliers) to see if they're able to supply us the 'gringa' (white girl/cocaine), that one . . . it's just that I have these people (cocaine customers) that are driving me crazy, they don't care if it's strong or not (good quality cocaine or not), with or without nose (good for snorting) or whatever, you understand, it's not important, they're desperate."

37. On or about July 20, 2007, at approximately 6:21 p.m., LUIS TORRES called CHARLIE VARGAS on the telephone. After TORRES asked about the heroin sales, VARGAS said, "I'm in the fight (trying to sell the supply of heroin) . . . I told him (heroin customer) to give it (heroin) even cheaper . . . I told him I don't even want money (profit). Give it at 70 (\$70 per gram) because I'll pay for ten (\$10 difference) . . . I'll lose my little five points (\$5 per gram profit), but to hell with it."

38. On or about July 20, 2007, at approximately 7:14 p.m., MOISES REYES called LUIS TORRES on the telephone. REYES asked, "How much (money) do you have (collected)?" TORRES said, "Twenty-six (\$26,000) more or less. Maybe thirty (\$30,000), but I don't want to take it (to REYES in Columbus) right now. I would rather wait until he has the whole thing (all the money

collected)."

39. On or about July 20, 2007, at approximately 7:27 p.m., ALFREDO LEON called LUIS TORRES on the telephone. LEON said, "I haven't called you because I . . . because I haven't had any (cocaine)." TORRES said, "I have been trying to get hold of some (cocaine) yesterday . . ." LEON said, "Yes, but it's that there was nothing good (no good quality cocaine) and, well, I said I'll leave it until Friday."

40. On or about July 25, 2007, at approximately 5:08 p.m., LUIS TORRES called JOHN RODRIGUEZ on the telephone. During the conversation, RODRIGUEZ said, "I wanted to see you." TORRES asked, "What do you desire?" RODRIGUEZ said, "One tire (a quantity of heroin)." TORRES said, "Give me time (to put that amount of heroin together). Get all the money together because I don't want any lip-service." RODRIGUEZ replied, "I have it all, yes." TORRES said, "Give me a couple of minutes . . ."

41. On or about July 25, 2007, at approximately 10:33 p.m., MOISES REYES called LUIS TORRES on the telephone. During the conversation, REYES said, "Three dollars and eight cents (\$38,000) you gave him (REYES' courier, sent to Cleveland to collect money for previously fronted heroin)?" TORRES said, "Yes sir. That's how I like you to talk to me, of three hundred dollars and little things like that (as opposed to \$30,000 which will get us in trouble) . . ." REYES said, "I'm using some women

(as drug couriers) here so that tomorrow, we go to the store (place to buy more heroin) to . . ." TORRES, still talking about the money, said, "It's that I had four dollars (\$40,000 for previously fronted heroin) and I had to keep, not four, I had thirty-nine-eighty (\$39,800) and I gave eighty dollars (\$800) to the guy (heroin customer) and I kept a hundred (\$1,000), in case it (the new supply of heroin) didn't come in tomorrow."

42. On or about July 26, 2007, at approximately 3:39 p.m., LUIS TORRES called CHARLIE VARGAS on the telephone. VARGAS said, " . . . You know that I'm nude (without drugs to sell). Are you going to help me (provide drugs to sell)?" TORRES said, "Of course I will." VARGAS said, "Okay, when are you going to help me? Don't tell me yes because I have your money (for previously fronted heroin)." TORRES said, "Let's try to do it for today, let me make a phone call." VARGAS said, "But not too much, please not too much . . . no, not a large quantity (of heroin) either. . . only 20 little dollars (an amount of heroin)"

43. On or about July 26, 2007, at approximately 6:17 p.m., LUIS TORRES called CHARLIE VARGAS on the telephone. VARGAS said, "Look, is that (drug shipment) for sure tomorrow?" TORRES said, "Yes." VARGAS said, "Are you sure? Because if not, I will make arrangements somewhere else (with another drug supplier)." TORRES said, "No, no, don't make arrangements . . . don't do no arrangements, and then be messing with two waters (two different

drug suppliers)."

44. On or about July 29, 2007, at approximately 8:35 p.m., ROBERTO ROJAS called LUIS TORRES on the telephone. During the conversation, TORRES said, "I was calling because, to tell you that some monster stuff (good quality heroin) is in now, and then I said, let me call the *tigres* (guys, dudes) to let them know that it is monster (good quality)." ROJAS asked, "It's monster now?" TORRES said, "Oh, you know it's always been good. It's always been classic, but. . . ." ROJAS said, "Yes, no, but the last woman (heroin) that you gave me, the guys (heroin customers) didn't like it." TORRES said, ". . . I have a dark lady (supply of heroin) that's good, fucker!" ROJAS said, "Listen, what has happened with the blonde (cocaine)? You haven't done anything about the blonde?" TORRES said, "Listen, I was conversing with the blonde today (I saw a supply of cocaine today) . . . yes, there is one very pretty secretary (good quality cocaine), but the man (supplier) said clearly that I need cash (up front) and I can't, you know, he didn't want to tell me, give me even just two (kilograms of cocaine fronted)."

45. On or about July 30, 2007, at approximately 2:15 p.m., CHARLIE VARGAS called LUIS TORRES on the telephone. During the conversation, TORRES asked, "Is it (heroin selling business) the same as the other day, or what?" VARGAS said, "No, no, no, no, little by little (heroin is selling little by little)." TORRES

asked, "Five dollars? Yeah, five dollars (profit, per gram of heroin)?" VARGAS replied, "Something like that . . . I don't want to get involved in a big mess."

46. On or about August 2, 2007, at approximately 1:28 p.m., JOHN RODRIGUEZ called LUIS TORRES on the telephone. During the conversation, RODRIGUEZ said, ". . . do you have something (drugs) better than, than the other one?" TORRES said, "Yeah." RODRIGUEZ asked, "Strong?" TORRES replied, "No, but it's good." RODRIGUEZ said, "All right, well, can I see you at the store (to make a drug transaction)?" TORRES said, "What you need?" RODRIGUEZ said, "Uh, one and a half (quantity of heroin)."

47. On or about August 3, 2007, at approximately 6:20 p.m., LUIS TORRES called PEDRO AYALA on the telephone. AYALA said, "Tell me." TORRES replied, "Seven dollars and three cents (the quantity of heroin available)." Jose said, "That's cool, give me 6,000 (a quantity of heroin)."

48. On or about August 5, 2007, at approximately 4:21 p.m., MOISES REYES called LUIS TORRES on the telephone. TORRES asked, ". . . Hey, is the American (cocaine) around?" Later during the conversation, REYES replied, "Yes, yes, yes, yes if he comes this way, but it has to be cash on the barrel head."

49. On or about August 5, 2007, at approximately 6:50 p.m., LUIS TORRES called an Unknown Male on the telephone. The Unknown Male told TORRES, ". . . I just talked to my dude (drug

customer), a black guy there, and he wants to buy the car." TORRES asked, "Yeah, what size?" The Unknown Male said, "Ah, . . . the big truck, the um, you know." TORRES asked, "The nice model?" The Unknown Male replied, "Yeah, the nice model out there. I think they wanted like, uh . . . somewhere like 26,000. TORRES asked, "A whole one (kilogram of cocaine) you mean?" The Unknown Male said, "Yeah."

50. On or about August 5, 2007, at approximately 7:21 p.m., LUIS TORRES called an Unknown Male on the telephone. TORRES said, ". . . I don't think they have the whole thing like you said, like a whole one (kilogram of cocaine) . . . but if you want like 9, 10 (ounces), or whatever I can get you on. . . ." The Unknown Male replied, "Okay. Well, shit, at least get it, try to get half of that."

51. On or about August 8, 2007, LUIS TORRES met with JOHN RODRIGUEZ in the vicinity of 9509 Willard Avenue, Cleveland, Ohio.

52. On or about August 8, 2007, at approximately 3:56 p.m., JOHN RODRIGUEZ called LUIS TORRES on the telephone. RODRIGUEZ said, "Um, one and a half (an amount of heroin)." TORRES replied, "Oh, well that's fine." RODRIGUEZ said, "in the same place."

53. On or about August 9, 2007, at approximately 1:22 p.m., LUIS TORRES called MOISES REYES on the telephone. During the

conversation, REYES complained that TORRES has not paid his debt in over 12 days.

54. On or about August 9, 2007, at approximately 6:10 p.m., ALFREDO LEON called LUIS TORRES on the telephone. LEON said, ". . . I'm looking for the same thing (cocaine) right now. . . and I talked with Luis, and Luis said you know some one." TORRES replied, "No, no, no, not for that hook up, no, not for that." LEON said, "Oh, I need that shit, it's that everything around there is bad."

55. On or about August 10, 2007, at approximately 3:48 p.m., JOHN RODRIGUEZ called LUIS TORRES on the telephone. During the conversation, RODRIGUEZ said, ". . . The complete cup and a half (amount of heroin). Can you get the other half, so, so . . . I'm charging him, um 200. . . that he wants a tire and a half, but I have what you gave me, but I want another half more because I'm going to charge him 200 for one and a half (grams of heroin)." TORRES replied, "Naw, I don't have it. I'm not going to travel for half a peso (gram of heroin) anywhere."

56. On or about August 10, 2007, at approximately 5:09 p.m., ALFREDO LEON called LUIS TORRES on the telephone. LEON said, "The good stuff, the good stuff - the white stuff (cocaine)." TORRES replied, "The white one, the white guy?" LEON said, "Yes." TORRES said, "Oh well, don't ruin it. Put a little away for me without ruining (cutting) it."

57. On or about August 11, 2007, at approximately 12:13 p.m., JOHN RODRIGUEZ called LUIS TORRES on the telephone. TORRES said, "What is it, you just called?" RODRIGUEZ replied, "A car and a half (an amount of heroin)." TORRES said, "Okay."

58. On or about August 11, 2007, at approximately 1:06 p.m., VIOLETA MONTANEZ called LUIS TORRES on the telephone. MONTANEZ said, "Fine, can I see you tomorrow for about 20 minutes (20 grams of heroin), okay?" TORRES replied, "That's fine." MONTANEZ said, "And for when, when can you see me?" TORRES replied, "For the same? Like, like about half, like about half, about 30 minutes more or less." MONTANEZ said, "Well that's fine, okay. Well then I'll see you tomorrow for 20 minutes. That's all because I have to go to the Puerto Rican parade."

59. On or about August 11, 2007, at approximately 1:52 p.m., LUIS TORRES met with VIOLETA MONTANEZ in the vicinity of 3065 West 25th Street, Cleveland, Ohio.

60. On or about August 12, 2007, at approximately 1:02 p.m., PEDRO AYALA called LUIS TORRES on the telephone. AYALA said, "3,000 (an amount of drugs)." TORRES replied, "Three pesos, huh?" AYALA said, "Yes."

61. On or about August 12, 2007, at approximately 1:03 p.m., LUIS TORRES called MOISES REYES on the telephone. TORRES said, "Look, I send you 38 pesos (\$38,000)." REYES replied, "That's fine Carlos."

62. On or about August 12, 2007, at approximately 4:06 p.m., LUIS TORRES called CHARLIE VARGAS on the telephone. VARGAS asked, "Tell me guy?" TORRES said, "Soon, don't despair, soon." VARGAS said, "I'm naked (without drugs), for tomorrow, I'm naked, you hear?" TORRES replied, "No, today it is that I have to buy some clothes (obtain drugs from my supplier)."

63. On or about August 14, 2007, at approximately 6:15 p.m., VIOLETA MONTANEZ called LUIS TORRES on the telephone. MONTANEZ said, 'Oh look, and can I see you in 20 minutes tomorrow (I need 20 grams of heroin)." TORRES replied, "No, it's the guys (heroin) I have is clear (weak/cut). . . what I could do is arrange (fix them with pure heroin) them. . . okay girl, I will call you as soon as I have it in my hand." MONTANEZ replied, 'Okay, okay. . ."

64. On or about August 14, 2007, at approximately 6:23 p.m., LUIS TORRES called VIOLETA MONTANEZ on the telephone. TORRES asked, "Love, do you need those pills (heroin) for today or can you wait till tomorrow so I can find you those pills . . ." MONTANEZ replied, "Well, they (drug customers) asked me for them today."

65. On or about August 15, 2007, at approximately 4:53 p.m., JOHN RODRIGUEZ called LUIS TORRES on the telephone. RODRIGUEZ said, "One tire (an amount of heroin)." TORRES replied, "Give me five minutes and I will call you back to tell

you where you can see me."

66. On or about August 16, 2007, at approximately 12:07 p.m., JOHN RODRIGUEZ called LUIS TORRES on the telephone. RODRIGUEZ said, "One and a half tires (an amount of heroin)." TORRES replied, "I'll call you back. Let me put some clothes on."

67. On or about August 17, 2007, at approximately 1:12 p.m., JOHN RODRIGUEZ called LUIS TORRES on the telephone. TORRES asked, "Same thing as yesterday?" RODRIGUEZ said, "Ahh, no." TORRES asked, "One?" RODRIGUEZ replied, "Yeah."

68. On or about August 17, 2007, at approximately 5:00 p.m., LUIS TORRES called ALFREDO LEON on the telephone. TORRES asked, "Did you get that (supply of cocaine)?" LEON said, "Yes. . . it's coming now. . . it should be on the road right now." TORRES said, "Get me a whole one (an amount of cocaine) if it's good. If it's not good I don't want anything. If anything, get me one of little ones (small amount of cocaine) so I can cure myself bro." LEON replied, "Okay, I got you. If it's not good I'll tell you."

69. On or about August 18, 2007, at approximately 1:35 p.m., LUIS TORRES called MOISES REYES on the telephone. During the conversation, REYES asked, "What are you going to need?" TORRES replied, "Do the same, and give me the same days, like 19-20 days (to pay for the fronted drugs) do the same so then. . ."

REYES said, "3,600 (an amount of drugs) and . . ." Later, TORRES asked, "How much did you take last time, 38 (amount of money) right? . . .the other day you got 38." REYES replied, "Listen, just add the 50, 50 you gave me 3,200 (amount of money)." TORRES replied, "Not 3,000, 3,800. Shit, you are crazy."

All in violation of Title 21, United States Code, Section 846.

COUNT 2

The Grand Jury further charges:

On or about January 26, 2007, in the Northern District of Ohio, Eastern Division, LUIS TORRES, aka CARLOS, aka CARLOS ALFONZO, aka JOSE SANTANA, aka JOSE ESPADA, did knowingly and intentionally distribute approximately 15.5 grams of a mixture or substance containing a detectable amount of heroin, a Schedule I controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C).

COUNT 3

The Grand Jury further charges:

On or about April 3, 2007, in the Northern District of Ohio, Eastern Division, LUIS TORRES, aka CARLOS, aka CARLOS ALFONZO, aka JOSE SANTANA, aka JOSE ESPADA, did knowingly and intentionally distribute approximately 19.1 grams of a mixture or substance containing a detectable amount of heroin, a Schedule I controlled substance, in violation of Title 21, United States

Code, Sections 841(a)(1) and (b)(1)(C).

COUNT 4

The Grand Jury further charges:

On or about May 11, 2007, in the Northern District of Ohio, Eastern Division, LUIS TORRES, aka CARLOS, aka CARLOS ALFONZO, aka JOSE SANTANA, aka JOSE ESPADA, did knowingly and intentionally distribute approximately 39.6 grams of a mixture or substance containing a detectable amount of heroin, a Schedule I controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C).

COUNT 5

The Grand Jury further charges:

On or about June 7, 2007, in the Northern District of Ohio, Eastern Division, LUIS TORRES, aka CARLOS, aka CARLOS ALFONZO, aka JOSE SANTANA, aka JOSE ESPADA, did knowingly and intentionally distribute approximately 19.7 grams of a mixture or substance containing a detectable amount of heroin, a Schedule I controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C).

COUNT 6

The Grand Jury further charges:

On or about July 16, 2007, in the Northern District of Ohio, Eastern Division, LUIS TORRES, aka CARLOS, aka CARLOS ALFONZO, aka JOSE SANTANA, aka JOSE ESPADA, did knowingly and

intentionally distribute approximately 59.4 grams of a mixture or substance containing a detectable amount of heroin, a Schedule I controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C).

COUNTS 7-40

The Grand Jury further charges:

On or about the dates listed below, in the Northern District of Ohio, Eastern Division, and elsewhere, the defendants listed below did knowingly and intentionally use a communication facility, to wit: a telephone, to facilitate acts constituting a felony under Title 21, United States Code, Section 846:

<u>Count</u>	<u>Defendant(s)</u>	<u>Date</u>	<u>Time</u>
7	LUIS TORRES, aka CARLOS, aka CARLOS ALFONZO, aka JOSE SANTANA, aka JOSE ESPADA, ROBERTO ROJAS, aka CANGRI	June 21, 2007	7:02 p.m.
8	LUIS TORRES, aka CARLOS, aka CARLOS ALFONZO, aka JOSE SANTANA, aka JOSE ESPADA, PEDRO AYALA, aka JOSE	June 22, 2007	8:07 p.m.
9	LUIS TORRES, aka CARLOS, aka CARLOS ALFONZO, aka JOSE SANTANA, aka JOSE ESPADA, MOISES REYES, aka GORDO, aka ANTHONY PENA, aka PEDRO RIVERA, aka JOSE CORNELL, aka LUIS CORNIEL	June 23, 2007	12:51 p.m.

<u>Count</u>	<u>Defendant(s)</u>	<u>Date</u>	<u>Time</u>
10	LUIS TORRES, aka CARLOS, aka CARLOS ALFONZO, aka JOSE SANTANA, aka JOSE ESPADA, PEDRO AYALA, aka JOSE	June 24, 2007	1:24 p.m.
11	LUIS TORRES, aka CARLOS, aka CARLOS ALFONZO, aka JOSE SANTANA, aka JOSE ESPADA, ROBERTO ROJAS, aka CANGRI	June 26, 2007	8:15 p.m.
12	LUIS TORRES, aka CARLOS, aka CARLOS ALFONZO, aka JOSE SANTANA, aka JOSE ESPADA, MOISES REYES, aka GORDO, aka ANTHONY PENA, aka PEDRO RIVERA, aka JOSE CORNELL, aka LUIS CORNIEL	June 28, 2007	2:22 p.m.
13	LUIS TORRES, aka CARLOS, aka CARLOS ALFONZO, aka JOSE SANTANA, aka JOSE ESPADA, PEDRO AYALA, aka JOSE	June 29, 2007	7:36 p.m.
14	LUIS TORRES, aka CARLOS, aka CARLOS ALFONZO, aka JOSE SANTANA, aka JOSE ESPADA, MOISES REYES, aka GORDO, aka ANTHONY PENA, aka PEDRO RIVERA, aka JOSE CORNELL, aka LUIS CORNIEL	June 30, 2007	8:23 p.m.

<u>Count</u>	<u>Defendant(s)</u>	<u>Date</u>	<u>Time</u>
15	LUIS TORRES, aka CARLOS, aka CARLOS ALFONZO, aka JOSE SANTANA, aka JOSE ESPADA, CHARLIE VARGAS	July 2, 2007	2:03 p.m.
16	LUIS TORRES, aka CARLOS, aka CARLOS ALFONZO, aka JOSE SANTANA, aka JOSE ESPADA, ALFREDO LEON, aka FREDDY, aka FREDDY FOX, aka ALFREDO DELEON	July 3, 2007	7:41 p.m.
17	LUIS TORRES, aka CARLOS, aka CARLOS ALFONZO, aka JOSE SANTANA, aka JOSE ESPADA, ROBERTO ROJAS, aka CANGRI	July 4, 2007	11:43 a.m.
18	LUIS TORRES, aka CARLOS, aka CARLOS ALFONZO, aka JOSE SANTANA, aka JOSE ESPADA, MOISES REYES, aka GORDO, aka ANTHONY PENA, aka PEDRO RIVERA, aka JOSE CORNELL, aka LUIS CORNIEL	July 5, 2007	1:57 p.m.
19	LUIS TORRES, aka CARLOS, aka CARLOS ALFONZO, aka JOSE SANTANA, aka JOSE ESPADA, PEDRO AYALA, aka JOSE	July 6, 2007	1:09 p.m.

<u>Count</u>	<u>Defendant(s)</u>	<u>Date</u>	<u>Time</u>
20	LUIS TORRES, aka CARLOS, aka CARLOS ALFONZO, aka JOSE SANTANA, aka JOSE ESPADA, JOHN RODRIGUEZ	July 7, 2007	1:33 p.m.
21	LUIS TORRES, aka CARLOS, aka CARLOS ALFONZO, aka JOSE SANTANA, aka JOSE ESPADA, MOISES REYES, aka GORDO, aka ANTHONY PENA, aka PEDRO RIVERA, aka JOSE CORNELL, aka LUIS CORNIEL	July 13, 2007	7:47 p.m.
22	LUIS TORRES, aka CARLOS, aka CARLOS ALFONZO, aka JOSE SANTANA, aka JOSE ESPADA, CHARLIE VARGAS	July 16, 2007	5:55 p.m.
23	LUIS TORRES, aka CARLOS, aka CARLOS ALFONZO, aka JOSE SANTANA, aka JOSE ESPADA, CHARLIE VARGAS	July 17, 2007	9:53 p.m.
24	LUIS TORRES, aka CARLOS, aka CARLOS ALFONZO, aka JOSE SANTANA, aka JOSE ESPADA, ALFREDO LEON, aka FREDDY, aka FREDDY FOX, aka ALFREDO DELEON	July 20, 2007	7:27 p.m.

<u>Count</u>	<u>Defendant(s)</u>	<u>Date</u>	<u>Time</u>
25	LUIS TORRES, aka CARLOS, aka CARLOS ALFONZO, aka JOSE SANTANA, aka JOSE ESPADA, JOHN RODRIGUEZ	July 25, 2007	5:08 p.m.
26	LUIS TORRES, aka CARLOS, aka CARLOS ALFONZO, aka JOSE SANTANA, aka JOSE ESPADA, MOISES REYES, aka GORDO, aka ANTHONY PENA, aka PEDRO RIVERA, aka JOSE CORNELL, aka LUIS CORNIEL	July 25, 2007	10:33 p.m.
27	LUIS TORRES, aka CARLOS, aka CARLOS ALFONZO, aka JOSE SANTANA, aka JOSE ESPADA, CHARLIE VARGAS	July 26, 2007	3:39 p.m.
28	LUIS TORRES, aka CARLOS, aka CARLOS ALFONZO, aka JOSE SANTANA, aka JOSE ESPADA, ROBERTO ROJAS, aka CANGRI	July 29, 2007	8:35 p.m.
29	LUIS TORRES, aka CARLOS, aka CARLOS ALFONZO, aka JOSE SANTANA, aka JOSE ESPADA, JOHN RODRIGUEZ	August 2, 2007	1:28 p.m.
30	LUIS TORRES, aka CARLOS, aka CARLOS ALFONZO, aka JOSE SANTANA, aka JOSE ESPADA, PEDRO AYALA, aka JOSE	August 3, 2007	6:20 p.m.

<u>Count</u>	<u>Defendant(s)</u>	<u>Date</u>	<u>Time</u>
31	LUIS TORRES, aka CARLOS, aka CARLOS ALFONZO, aka JOSE SANTANA, aka JOSE ESPADA	August 5, 2007	6:50 p.m.
32	LUIS TORRES, aka CARLOS, aka CARLOS ALFONZO, aka JOSE SANTANA, aka JOSE ESPADA, ALFREDO LEON, aka FREDDY, aka FREDDY FOX, aka ALFREDO DELEON	August 9, 2007	6:10 p.m.
33	LUIS TORRES, aka CARLOS, aka CARLOS ALFONZO, aka JOSE SANTANA, aka JOSE ESPADA, JOHN RODRIGUEZ	August 10, 2007	3:48 p.m.
34	LUIS TORRES, aka CARLOS, aka CARLOS ALFONZO, aka JOSE SANTANA, aka JOSE ESPADA, VIOLETA MONTANEZ	August 11, 2007	1:06 p.m.
35	LUIS TORRES, aka CARLOS, aka CARLOS ALFONZO, aka JOSE SANTANA, aka JOSE ESPADA, PEDRO AYALA, aka JOSE	August 12, 2007	1:02 p.m.
36	LUIS TORRES, aka CARLOS, aka CARLOS ALFONZO, aka JOSE SANTANA, aka JOSE ESPADA, MOISES REYES, aka GORDO, aka ANTHONY PENA, aka PEDRO RIVERA, aka JOSE CORNELL, aka LUIS CORNIEL	August 12, 2007	1:03 p.m.

<u>Count</u>	<u>Defendant(s)</u>	<u>Date</u>	<u>Time</u>
37	LUIS TORRES, aka CARLOS, aka CARLOS ALFONZO, aka JOSE SANTANA, aka JOSE ESPADA, VIOLETA MONTANEZ	August 14, 2007	6:15 p.m.
38	LUIS TORRES, aka CARLOS, aka CARLOS ALFONZO, aka JOSE SANTANA, aka JOSE ESPADA, JOHN RODRIGUEZ	August 16, 2007	12:07 p.m.
39	LUIS TORRES, aka CARLOS, aka CARLOS ALFONZO, aka JOSE SANTANA, aka JOSE ESPADA, ALFREDO LEON, aka FREDDY, aka FREDDY FOX, aka ALFREDO DELEON	August 17, 2007	5:00 p.m.
40.	LUIS TORRES, aka CARLOS, aka CARLOS ALFONZO, aka JOSE SANTANA, aka JOSE ESPADA, MOISES REYES, aka GORDO, aka ANTHONY PENA, aka PEDRO RIVERA, aka JOSE CORNELL, aka LUIS CORNIEL	August 18, 2007	1:35 p.m.

All in violation of Title 21, United States Code, Section
843(b).

A TRUE BILL.

Original document -- Signatures on file with the Clerk of Courts,
pursuant to the E-Government Act of 2002.

United States v. MOISES REYES, aka GORDO, aka ANTHONY PENA, aka
PEDRO RIVERA, aka JOSE CORNELL, aka LUIS CORNIEL, et al.

A TRUE BILL.

FOREPERSON

GREGORY A. WHITE
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